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**(2) Purpose:**

The Department of Labor and Industries has adopted newly rewritten and clarified requirements relating to Hearing Conservation in non-agricultural industries. This rulemaking is part of our four-year plan to rewrite for clarity all of our general occupational safety and health rules. This project provides additional flexibility for employers in some situations. We have identified several reference changes that have been updated with this rulemaking. The following was adopted:

- The hearing conservation requirements from chapter 296-62 WAC were renumbered in chapter 296-817 WAC.
- The rule was reorganized and rewritten to improve clarity.
- References to consensus standards were updated to equivalent requirements in current consensus documents.
- Program options are provided for employers with short-term (less than one year) employees. These program options can be used in place of employer provided audiograms.
- References to chapters 296-54 WAC, 296-56 WAC, 296-59 WAC, 296-62 WAC, 296-155 WAC, 296-304 WAC and 296-305 WAC were updated.

**Chapter 296-54 WAC**

**Safety Standards – Logging Operations**

**WAC 296-54-51130, Hearing protection.**

- Updated a reference.

**Chapter 296-56 WAC**

**Safety Standards – Longshore, Stevedore and Related Waterfront Operations**

**WAC 296-56-60001, Scope and applicability.**

- Updated a reference.

**Chapter 296-59 WAC**

**Safety Standards for Ski Area Facilities and Operations**

**WAC 296-59-090, Mobile equipment and lift trucks.**

- Updated a reference.

**Chapter 296-62 WAC**

**General Occupational Health Standards**

**WAC 296-62-09015, Hearing Conservation.**

- Added a note stating, “The requirements in WAC 296-62-09015 through 296-62-09055 apply only to agriculture. The requirements for all other industries relating to noise have been moved to Chapter 296-817 WAC, Hearing Loss Prevention (Noise).”

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**Chapter 296-155 WAC**

**Safety Standards for Construction Work**

**WAC 296-155-145, Occupational noise exposure.**

- Updated a reference.

**WAC 296-155-210, Hearing protection.**

- Updated a reference.

**Chapter 296-304 WAC**

**Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking**

**WAC 296-304-08009, Powder-actuated fastening tools.**

- Updated a reference.

**WAC 296-304-09009, Hearing protection.**

- Updated a reference.

**Chapter 296-305 WAC**

**Safety Standards for Fire Fighters**

**WAC 296-305-02005, Hearing protection.**

- Updated references.

**WAC 296-305-05503, Summary of training requirements.**

- Updated a reference.

**Chapter 296-817 WAC**

**Noise Standard**

**Chapter 296-817 WAC, Hearing Loss Prevention (Noise).**

- Created this chapter and incorporated all the noise requirements in this one chapter.

**WAC 296-817-100, Scope.**

- Created this section and inserted revised language from WAC 296-62-09015. No new requirements have been added.
- Added a table explaining "Noise Evaluation Criteria".

**WAC 296-817-200, Summary.**

- Created this section and inserted revised language from WAC 296-62-09015. No new requirements have been added.

**WAC 296-817-20005, Conduct employee noise exposure monitoring.**

- Created this section and inserted revised language from WAC 296-62-09019, 296-62-09021, 296-62-09024 and 296-62-09025. No new requirements have been added.

**WAC 296-817-20010, Control employee noise exposures that equal or exceed 90 dBA TWA<sub>8</sub>.**

- Created this section and inserted revised language from WAC 296-62-09026. No new requirements have been added.

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**WAC 296-817-20015, Make sure employees use hearing protection when their noise exposure equals or exceeds 85 dBA TWA<sub>s</sub>.**

- Created this section and inserted revised language from WAC 296-62-09031, 296-62-09033 and 296-62-09053. No new requirements have been added.

**WAC 296-817-20020, Make sure exposed employees receive training about noise and hearing protection.**

- Created this section and inserted revised language from WAC 296-62-09035 and 296-62-09037. No new requirements have been added.

**WAC 296-817-20025, Make sure warning signs are posted for areas where noise levels equal or exceed 115 dBA.**

- Created this section and inserted revised language from WAC 296-62-09039. No new requirements have been added.

**WAC 296-817-20030, Arrange for oversight of audiometric testing.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

**WAC 296-817-20035, Identify and correct deficiencies in your hearing loss prevention program.**

- Created this section and inserted revised language from WAC 296-62-09015. No new requirements have been added.

**WAC 296-817-20040, Document your hearing loss prevention activities.**

- Created this section and inserted revised language from WAC 296-62-09041. No new requirements have been added.

**WAC 296-817-300, Noise measurement and computation – Summary.**

- Created this table of contents/summary page relating to noise measurement and computation. No new requirements have been added.

**WAC 296-817-30005, Make sure that noise-measuring equipment meets recognized standards.**

- Created this section and inserted revised language from WAC 296-62-09021 and 296-62-09023. No new requirements have been added.

**WAC 296-817-30010, Measure employee noise exposure.**

- Created this section and inserted revised language from WAC 296-62-09019. No new requirements have been added.

**WAC 296-817-30015, Use these equations when estimating full-day noise exposure from sound level measurements.**

- Created this section and inserted revised language from WAC 296-62-09055. No new requirements have been added.

**WAC 296-817-400, Audiometric testing – Summary.**

- Created this table of contents/summary page relating to audiometric testing. No new requirements have been added.

**WAC 296-817-40005, Provide audiometric testing at no cost to employees.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

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**WAC 296-817-40010, Establish a baseline audiogram for each exposed employee.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

**WAC 296-817-40015, Conduct annual audiograms.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

**WAC 296-817-40020, Review audiograms that indicate a standard threshold shift.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

**WAC 296-817-40025, Keep the baseline audiogram without revision, unless annual audiograms indicate a persistent threshold shift or a significant improvement in hearing.**

- Created this section and inserted revised language from WAC 296-62-09027. No new requirements have been added.

**WAC 296-817-40030, Make sure a record is kept of audiometric tests.**

- Created this section and inserted revised language from WAC 296-62-09041. No new requirements have been added.

**WAC 296-817-40035, Make sure audiometric testing equipment meets these requirements.**

- Created this section and inserted revised language from WAC 296-62-09029. No new requirements have been added.

**WAC 296-817-500, Options to audiometric testing – Summary.**

- Created this table of contents/summary page relating to program assessment options. These options are new but not required.

**WAC 296-817-50005, Conduct hearing protection audits at least quarterly.**

- Created this section relating to conducting hearing protection audits. This option is new but not a requirement.

**WAC 296-817-50010, Make sure staff conducting audits are properly trained.**

- Created this section relating to training for conducting audits. This option is new but not a requirement.

**WAC 296-817-50015, Assess the hearing protection used by each employee during audits.**

- Created this section relating to assessment of hearing protection being used during an audit. This option is new but not a requirement.

**WAC 296-817-50020, Document your hearing protection audits.**

- Created this section relating to documentation of audits. This option is new but not a requirement.

**WAC 296-817-50025, Make sure third-party hearing loss prevention programs meet the following requirements.**

- Created this section relating to third party hearing loss prevention programs. No new requirements have been added.

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**WAC 296-817-600, Noise Definitions.**

- The following definitions were incorporated into this section:
  - A-weighted
  - Audiogram
  - Audiologist
  - Baseline audiogram
  - Continuous noise
  - Criterion sound level
  - C-weighted
  - Decibel (dB)
  - Fast Response
  - Hertz (Hz)
  - Impulsive or impact noise
  - Noise dose
  - Noise dosimeter
  - Occupational hearing loss
  - Otolaryngologist
  - Permanent threshold shift
  - Qualified reviewer
  - Slow Response
  - Sound level
  - Sound level meter
  - Standard threshold shifts (STS)
  - Temporary threshold shift
  - TWA<sub>8</sub> – Equivalent 8-hour time weighted average sound level.

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**(3) Citation of existing rules affected by this order:**

**AMENDED SECTIONS:**

- WAC 296-54-51130, Hearing protection.
- WAC 296-56-60001, Scope and applicability.
- WAC 296-59-090, Mobile equipment and lift trucks.
- WAC 296-62-09015, Hearing Conservation.
- WAC 296-155-145, Occupational noise exposure.
- WAC 296-155-210, Hearing protection.
- WAC 296-304-08009, Powder-actuated fastening tools.
- WAC 296-304-09009, Hearing protection.
- WAC 296-305-02005, Hearing protection.
- WAC 296-305-05503, Summary of training requirements

**CR 103 RULE-MAKING ORDER (RCW 34.05.360)**

Department of Labor and Industries

WISHA Services Division

Hearing Date: January 27, 2003

CR-103 Filing Date: May 20, 2003

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**Attachment (2)**

(Purpose Statement)